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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Poverty and human rights[1]

Programme of work of the ad hoc working group established to prepare a study to contribute to the drafting of an international declaration on extreme poverty and human rights

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Introduction

1. The Commission on Human Rights requested the Sub-Commission on the Protection and Promotion of Human Rights to carry out a study on poverty and human rights in the world with a view to contributing to the discussion and preparation of an international instrument on extreme poverty and human rights. To that end, the Sub-Commission appointed Mr. José Bengoa to coordinate the ad hoc group consisting of Mr. El Hadji Guissé, Mr. Yozo Yokota and Mr. Paulo Sérgio Pinheiro. A working seminar was held on 26, 27 and 28 February 2002 at the United Nations University in Tokyo, at which the ad hoc working group[2] met and held in-depth discussions on the requested study. The group decided to submit to the Sub-Commission a programme of work for the next three years. The summary and contents of the programme of work was drafted by the members of the working group; Mr. José Bengoa undertook the task of finalizing the text.

I. THEORETICAL APPROACH

2. The ad hoc working group devoted a long working meeting to the discussion and definition of the approach to be taken to the study on poverty and human rights. The central issue was to understand poverty and its consequences as phenomena affecting the right to life and, therefore, a number of rights that take precedence over any secondary strategic or tactical considerations. The members of the group sought to identify the elements indispensable to human life, which could not be called into question under any circumstances. They agreed that a declaration on poverty should refer to the inalienable rights of human beings, which could not fail to elicit a favourable response from States and other agents.

3. The study is inspired by the philosophical principle of human dignity, in accordance with article 1 of the Universal Declaration of Human Rights, which affirms that, "All human beings are born free and equal in dignity and rights". Extreme poverty in particular, and poverty in general, places human beings in a situation of violence analogous to any violation of the right to life, and therefore of their "dignity and rights". When a family is deprived of the basic requirements for existence, such as the ability to obtain a minimum of food, drinking water or a place to sleep, its human dignity is subjected to the same kind and degree of violence as in cases of torture, deprivation of liberty or, quite simply, killing.

4. "Everyone has the right to life" (Universal Declaration of Human Rights, art. 3) and poverty in general, and extreme poverty in particular, is an attack on the lives of human beings.

5. The members of the ad hoc working group therefore decided to study "contemporary forms of poverty", that is, the most extreme forms of poverty, systems of absolute destitution that endanger the right to life and dignity of persons and which are the consequence of the economic, political and social processes that currently dominate the world. The group is aware that there are many other forms of poverty, generally known as "relative poverty", "traditional poverty" or "structural poverty", which vary from country to country and from society to society and which undoubtedly cause very serious problems for individuals and have a huge impact on human society. While it can be said that poverty in general violates the enjoyment of economic, social and cultural rights in many ways, extreme poverty is a gross violation of the right to life and human dignity and thus strikes at the heart of the human rights system, which is the

foundation of world peace, security and human society. The ad hoc working group places poverty at the most basic level of human rights and its study and report will focus on this group of rights.

A. History of poverty: origins of contemporary forms of poverty

6. The question that needs to be asked is whether contemporary forms of poverty are the result of situations, causes or conditions different from those that give rise to traditional poverty or whether, on the contrary, poverty has always been associated with human societies.

7. The study will examine the origins of "modern poverty" and the changes that have taken place in contemporary forms of poverty, on the basis of a number of factors including: (a) colonialism and, in particular, slavery in Africa as causes of inherited and structural poverty in various parts of the world; (b) economic, social and political processes in the Third World in the so-called "post-colonial" period; (c) new forms of economic domination, the emergence of new markets, economic globalization and new forms of poverty; (d) the breakdown of social integration and internal solidarity systems and the appearance of new centres of poverty; (e) new forms of rural poverty; and (f) new forms of urban poverty.

8. One of the main hypotheses is that new forms of globalization have given rise to a new form of poverty, "modern poverty", which may be considered to be a product of the modern world itself. Aspects of modern poverty include:

(a) Many populations, regions and areas of the world have been marginalized as a result of changes in international markets, and they lack economic opportunities or are simply left to their fate;

(b) Many systems based on self-sufficiency and simple trade between producers have been replaced or simply dominated and destroyed by markets that are becoming increasingly transnational; often, trade in products that have replaced traditional, locally produced goods has caused real disasters in the areas of production and mass consumption, causing impoverishment and situations of extreme poverty;

(c) The globalization of communications and human expectations have caused a "revolution of needs" among broad sectors of the world's population that were formerly self-sufficient. While self-sufficiency did not produce wealth, it did avoid extreme situations of famine or deprivation. The traditional patterns of production and consumption that ensured the minimum needs for subsistence are being destroyed and replaced by incomplete, mixed systems that cause new forms of poverty.

B. Concept of poverty

9. Poverty is a deprivation of human capacities (Amartia Sen), that is, the transformation of a person into a being incapable of satisfying his minimum needs for survival. Normally, poverty is a phenomenon that transcends persons as individual human beings. Human beings cannot develop their abilities, and often great potential, because they live in certain economic, social or cultural conditions.

10. The study will examine the question of poverty holistically and will not necessarily consider in isolation such phenomena as shortages, lack of resources or absence of well-being.

11. The study will take a multicultural approach to the analysis of phenomena, and will attempt to avoid ethnocentric visions according to which poverty is the lack of certain forms and styles of life or the absence of goods that characterize specific forms of consumption. While human needs are universal, cultures and societies have different ways of satisfying them, which must be taken seriously into consideration in the analysis of and fight against poverty.

12. It will be taken for granted that the poor, like all other human beings, have inalienable rights and therefore the freedom to develop their potential and abilities.

C. Causes of poverty

13. The ad hoc group has found that most studies of poverty tend to describe situations of deprivation in the world without devoting adequate attention to the factors that cause poverty. Poverty is often described as a "curse on humanity" as a result of which individuals or populations are studied as passive objects.

14. The causes of poverty are historical and structural, and are also the consequence of specific policies and measures taken at various levels of government. There are external causes, which transcend societies, regions or poor segments of the population, and also internal causes, in which responsibilities are shared. In analysing the causes of poverty, the study should take into account all external and internal factors without neglecting aspects relating to "good governance", the existence of adequate social and economic policies, and the existence of systems of government - international, national, regional and local - that are the causes of contemporary forms of poverty.

D. The right to life

15. The most essential aspect of the right to life is the biological sustainability of human beings, that is, their daily subsistence and their reproduction as a species. The right to life consists of four basic rights, namely: (a) the right to adequate food; (b) the right to drinking water; (c) the right to shelter; and (d) the right to health.

16. The ad hoc group considers these four basic rights to be components of the right to life, understood as the necessary and essential minimum for survival that facilitates the exercise of the other rights to which all human beings are entitled. Owing to the importance of the subject, a distinction has been made between the right to food and the right to drinking water since, in many parts of the world, lack of water has become one of the most serious and alarming causes of extreme poverty.

17. For the purposes of the study, a person, or group or persons, who lack sufficient food for subsistence, who have no access to drinking water, who have no place to live and whose health is at risk, is considered to be living in extreme poverty. The ad hoc group considers this situation to be universal affecting all human beings equally, regardless of their culture.

18. The right to education, the right to work and all civil and political rights and economic, social and cultural rights are dependent on the basic minimum rights that constitute the right to life. It is impossible to carry out educational plans when the right to life is threatened; the same may be said about political rights, which are seriously threatened when the right to life is at risk.[3]

19. The universal nature of the right to life permits the legal and political application of these rights and makes it possible to create an effective system of protection. The protection of the species at its most basic levels of existence permits the formulation of universal legal imperatives. When the right to life is threatened, all other rights are subordinated to that right.

20. For international law, the adoption of a declaration that recognizes the inalienability of the rights related strictly to human life in its basic biological aspect, can be of great importance. States should establish a set of priorities, at both the international and national levels, that guarantee these basic rights.[4]

21. The understanding of the phenomena of poverty relating to the right to life and the four rights that constitute that right requires the formulation of a number of obligations at various levels. The study should analyse such rights and examine those derived from the concepts presented here. The various levels of obligations are:

1. National

22. There is a series of obligations at the State level, that is, at the national level. The study should examine, from the perspective of the four rights that constitute the right to life as expressed here, article 2 of the International Covenant on Economic, Social and Cultural Rights, which provides that "each State Party to the present Covenant undertakes to take steps ... to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant ...". The international community is aware that the right to life cannot be progressively achieved and that it requires effective and immediate measures to ensure its enjoyment; failure to implement such measures would entail the death of thousands of persons. Likewise, the conceptualization of these rights as being directly related to human life requires a broader and more comprehensive development of the mandate and commitment to use "the maximum of its available resources", a central aspect of the Covenant that is of critical importance to the ability to place these rights on an equal footing with the rest of the rights to life.

2. International

23. At the international level, there are many instruments that require States to cooperate in order to guarantee the right to life. International law has not developed equally with respect to these rights; it has made great strides in some areas (for example, the Convention against Torture) and to a lesser degree with respect to violations of the right to life such as those discussed in this paper. The ad hoc group has stressed the need to undertake an in-depth study of the implications of conceptualization of these rights, such as the one put forward in this paper, for international law and States' obligations to cooperate.

3. Institutional

24. International institutions, both public and private, should be part of any study of the right to life. Any decision taken by those institutions that jeopardizes the right to life in any way (that is, violates any of the aforementioned four rights that constitute the right to life), or policies of such institutions that do not contribute to the development and achievement of the right to life, would be subject to criticism from a human rights perspective.

II. SITUATION OF POVERTY IN THE WORLD

25. The objective of the study requested by the Commission on Human Rights is not to repeat research, studies and documents that have been produced by many institutions and which describe poverty as it exists in the world today. The study will seek information and should cooperate with international governmental institutions, regional institutions, specialized agencies and non-governmental organizations (NGOs) in order to undertake a dynamic study of contemporary forms of poverty as a violation of the right to life. It is therefore necessary to have reliable information and disaggregated data; at the same time, poverty-related issues must be approached from a human rights perspective.

26. The figures relating to world poverty become more alarming every day. It is no exaggeration to say that, as globalization spreads, as communication becomes instantaneous and as the movement of ideas, goods and persons becomes much easier, poverty is increasingly visible in the modern world. It would not seem possible that a process of globalization, such as the one currently taking place, could bring about such striking inequalities. The enormous time, cultural and geographical barriers that separated the more developed from the less developed worlds in the past made possible the coexistence of segments of populations, societies and countries at very different levels. While some persons might be involved in the industrial revolution, others might still be farming using traditional technologies that go back thousands of years. In the past, such persons did not know each other, had no contact, did not interact and, therefore, did not cause each other any harm. Today, this is becoming more and more difficult. Young people in poor countries see on their television screens, in live and direct broadcasts, what is happening in rich countries, and no one can restrain them in their eagerness to reach urban centres where there are opportunities for a modern life. They will risk their lives again and again. And that is one of the thousands of incidents that occur as a consequence of the tremendous inequalities which, in an increasingly interdependent world, are becoming ethically intolerable. Such inequalities cause untold problems and violence and, finally, pose a threat to world peace.

27. This new situation gives rise to what we call contemporary forms of poverty. In many cases, contemporary forms of poverty are similar to old and traditional forms. However, it is necessary to understand the way in which traditional forms of poverty have changed within the complex framework of new modes of communication, heightened expectations, growing needs and the globalization of markets; within that framework, traditional forms of poverty have acquired new dimensions. Contemporary poverty, or poverty as experienced in the modern world, is obviously the product of the past and of the new characteristics of modern societies.

The past has left us with the legacy of accumulated capital or the absence thereof, which is a product of historically determined conditions. The present is the product of new forms of accumulation of wealth on a global scale.

28. Peasants in many parts of the third world have always lived in poor or modest conditions, with low levels of accumulation, with periods of famine caused by droughts or other climatic changes, and periods of prosperity, even an abundance of food. They knew how to farm, raise animals, make their own clothes and survive within the context of their culture. This is and has been traditional poverty. However, such poverty has not hindered the survival and development of the societies and cultures and, finally, the self-fulfilment of people living in conditions of traditional poverty. However, old or traditional forms of poverty have undergone radical changes as a result of the aforementioned processes. The existing traditional alternative of subsistence production practised by those peasants has become increasingly difficult. Their markets have been invaded by goods that are not produced locally and which are often transnational; this has left local production and markets in disarray. Territorial resources, for example, land, water and so on, are changing in a way that makes it impossible to engage in traditional forms of production and consumption. Often, those resources have been appropriated, or simply expropriated, by third persons who have used them for "productive activities" or environmental protection activities, or have simply put them to other uses. This is why one may be led to believe that this is a situation of traditional poverty, which is generally incorrect. What we are dealing with here is very vulnerable traditional systems that have been disrupted, more often than not moving to a lower position within the global system, losing the advantages that they possessed and becoming increasingly vulnerable. So-called "traditional" poverty is often the result of the modern relations to which third world societies and communities are subjected. Such communities can no longer do what they did before to ensure their survival, nor are they able to become integrated in the new technological and productive patterns required by the so-called "modern world". This at times brutal contradiction has given rise to contemporary forms of rural poverty.

29. Urban poverty is perhaps the best and most telling example of contemporary forms of poverty. As in the previous case, there have always been, throughout history, poor urban populations. The history of urban poverty, urban begging and mass poverty is long and, in certain periods of social upheaval, was aggravated by the advent of vagabonds expelled from the countryside. Vagabonds were a marginalized population and were often beggars.[5] The enormous migration flows caused by unendurable rural poverty produce enormous concentrations of poverty in cities, which leads to a qualitative change in the traditional phenomenon described here. Cities in Latin America, Asia and Africa have become the largest metropolises in the world. They are gigantic conglomerations in which millions upon millions of human beings lead a miserable existence. The poor are becoming unmanageable masses, living without basic services at the subsistence level or even below the subsistence level.

30. Cities in developed countries have begun to experience the pressure of migration and the growth of pockets of poverty, even if not of extreme poverty. A new phenomenon is taking place in many developed countries that had never experienced poverty within their borders.

31. The study will try to understand the aforementioned phenomena.

A. Study of regional situations

32. Every region of the world has its own characteristics. The aim of the study is to analyse contemporary forms of poverty in each of the world's regions:

(i) Asia - to be covered by Mr. Yozo Yokota;

(ii) Africa - by Mr. El Hadji Guissé;

(iii) Latin America - by Mr. José Bengoa;

(iv) Developed countries and other areas.[6]

B. Approaches to the study: thematic indicators and relations

1. Approaches to a methodology for studying poverty and drafting a working definition of extreme poverty

33. At the Tokyo seminar, much emphasis was placed on the need for the study to have a practical and working definition of poverty that would be in keeping with the human rights principles referred to above.

34. The aim of the study is, therefore, to come up with a more precise definition of poverty as a violation of the basic rights to life. That will require a methodological effort to understand what is implied by the violation of (a) the right to adequate food; (b) the right to clean water; (c) the right to adequate housing; and (d) the right to health.

35. An attempt will be made to develop indicators and various instruments that make it possible to talk about these rights, and the various forms of violations of such rights, in a specific and concrete manner.

36. The methodological objective is to establish a universal indicator in the context of which extreme poverty can be understood as a violation of the right to life. A comprehensive approach to such indicators will facilitate the establishment of mechanisms for action, international cooperation and diverse instruments to combat poverty.

37. Consideration will be given to the use of quantitative and qualitative or comprehensive indicators that make it possible to understand the relationship between the processes of poverty and other concomitant and basic processes in order to explain their causes. An attempt will be made to set up a database for each region; this will require cooperation with specialized regional institutions capable of contributing to the establishment of a database. Efforts will be made to ensure that such databases have a historical perspective that facilitates the understanding of new forms of contemporary poverty. A list of indicators has been drawn up as an example of the methodology to be used.

2. Methodological approaches to indicators. List of themes

(a) Quantitative indicators:

(i) Relationship between economic growth and poverty;

(ii) Relationship between employment, salaries and poverty;

(iii) Relationship between income distribution and poverty;

(iv) Relationship between education and poverty;

(v) Relationship between women and poverty;

(vi) Relationship between young people and poverty;

(vii) Relationship between urban poverty and rural poverty.

(b) Qualitative and comprehensive indicators:

(i) Global indicators:

(a) Governments' lack of funds;

(b) Governments' lack of governance;

(c) Lack of adequate education;

(d) Lack of adequate infrastructure;

(e) Poverty in cities;

(f) Poverty in rural areas.

(ii) Poverty-related human rights violations:

(a) Lack of basic human needs:

- adequate food and safe water;
- safe shelter;
- basic health;
- decent clothing;

(b) Deprivation of economic, social and cultural rights;

(c) Lack of political rights and freedoms.

(iii) Poverty-induced human rights violations:

(a) Child labour;

(b) Child pornography;

(c) Trafficking of children for sexual exploitation;

(d) Forced labour and bonded labour;

(e) Migrant workers and their families;

(f) Drug problem;

(g) Infectious diseases.

(iv) Human rights violations by Governments and poverty:

(a) Misallocation of resources;

(b) Excessive military expenditures;

(c) Lack of economically related freedoms.

(v) Other related issues:

(a) Status of women and poverty;

(b) Minority and poverty;

(c) Refugees and poverty;

(d) Wars and poverty;

(e) Globalization and poverty;

(f) Poverty in rich countries.

(vi) Conclusion

(a) Role of a regional human rights convention and regime;

(b) Role of regional development organizations in combating poverty;

(c) Role of richer countries in combating poverty.

III. INTERNATIONAL INSTRUMENTS FOR POVERTY ERADICATION

38. The third part of the study will consist of an examination of existing international instruments and their use in poverty eradication. This part of the study will concentrate on the following aspects:

(i) Human rights documents on the right to survival, human dignity and minimum standards rights;[7]

(ii) The mechanisms of international (human rights) bodies;

(iii) The regional mechanisms;

(iv) Effectiveness of international bodies and agencies for international cooperation to combat poverty;

(v) United Nations conferences including the World Summit for Social Development (Copenhagen, 1995).

IV. DECLARATION ON POVERTY AND HUMAN RIGHTS

39. The final objective of this study is to draft an international declaration on poverty and human rights that can be discussed in the Sub-Commission on the Promotion and Protection of Human Rights and subsequently by the Commission on Human Rights and other major United Nations bodies.

40. In addition to the topics referred to above, the study could also deal with the following:

(i) Poverty and extreme poverty

41. The linkage between the general phenomenon of poverty and the specific phenomenon of extreme poverty should be studied. Another link to be established is that between the eradication of extreme poverty and the fulfilment of the right to development as an individual and a collective right.

(ii) The struggle against poverty

42. The struggle against poverty requires an in-depth understanding of the causes and the effects of poverty on human rights. Some effects are more serious than others. Issues for consideration in this respect include the lack of political will and the transfer of resources, since the world does have the necessary resources to eradicate poverty.

(iii) Multilateral cooperation

43. Multilateral cooperation is vital. In this connection, both the 0.7 per cent of gross national product for development aid and the 20/20 initiatives should be reactivated and respected. New policies should be adopted to address the problem of external debt and its servicing affecting State sovereignty.

(iv) Responsibility of non-State actors

44. The principles and objectives of the Declaration on Social Progress and Development should be taken into consideration in the light of the internationally recognized obligations of all parties concerned at the national and international levels.

45. The responsibilities of non-State actors in the economic and social sectors, in particular transnational corporations, should be spelled out. Transnational corporations should contribute to programmes of social development for the surrounding communities, including those of indigenous peoples, and ensure the employment of local labour.

(v) Importance of local authorities

46. Methods to enhance the role of local authorities in combating the scourge of extreme poverty should be specified.

(vi) Good governance and transparency

47. Good governance and transparency, good management of the State and financial and social policies should include: developing strategies for meeting the basic needs of the community, such as access to credit, in particular for women workers in the informal sector; popular participation in decisions concerning the community; equal opportunities in a competitive market economy; and accountability in regard to the use of multilateral and bilateral financial aid.

(vii) Primary education and poverty

48. The declaration should emphasize the key role of primary education in fighting illiteracy, with a gender perspective. States should develop clear criteria, for example by introducing a quota system with special attention being given to the girl child and to increasing women's chances in the field of education and training.

(viii) Participation of the poor themselves and of local organizations

49. The declaration should establish a mechanism to ensure the participation of the poor themselves in the process of elaborating, monitoring and evaluating action-oriented policies at the local level, through the development of community cooperative institutions, and at the national and global levels.

(ix) Solidarity

50. The declaration should revitalize the impetus for solidarity in the spirit of articles 55 and 56 of the Charter of the United Nations.

(x) Economic, social and cultural rights

51. At the international level, the declaration should address the issue of definition of the content and enforceability of economic, social and cultural rights.

(xi) Technical and financial assistance

52. Technical and financial assistance mechanisms, such as microcredits, should be greatly encouraged as they support the poor and their efforts for survival, while preserving their dignity.

(xii) Corruption

53. Corruption should be condemned and corruptors should face international justice if they escape national jurisdiction.

(xiii) Vulnerable groups (women, children, minorities, the indigenous, and the handicapped)

(xiv) Affirmative action and poverty.

V. PROGRAMME OF WORK

54. The programme of work is based on the development of a participatory process in which the various actors involved in this field should take part. The ad hoc group cannot undertake an academic study of such complex issues without inviting the various governmental, intergovernmental and non-governmental actors to debate these issues and come up with a responsible proposal that is supported by broad agreements and debates. A work prepared by specialists in their study would be of no use at all; our study must have the approval of organizations of the poor themselves, Governments and associations of persons engaged in the fight against poverty throughout the world.

55. The programme of work covers a three-year period, beginning with this working paper in which the main aspects of the study have been set out. In the first year following, a preliminary report should be submitted; in the second year, a progress report; and, in the third, a final report together with a draft declaration.

56. The programme of work consists of the following:

A. Participation of diverse actors in the study and in the preparation of drafts of a declaration on poverty and human rights

1. Participation of Governments in the process

57. In the course of its preparation, the study should have the support of Governments, through many mechanisms, including:

(a) Information on the situation of poverty in their countries, following the methodological guidelines that the ad hoc group has prepared or will prepare;

(b) Information on social policies relating to the eradication and overcoming of poverty;

(c) Information on special programmes to eradicate poverty, development plans and the like;

(d) Information on and evaluation of international cooperation and its effectiveness in combating poverty.

2. Participation of international and regional organizations

58. The study will try to involve and interest such major international organizations as the World Bank and the International Monetary Fund in the study, requesting them to provide information, and through their participation in discussions, seminars and other activities.

3. Participation of NGOs and other associations and private institutions

59. The study should be carried out with the support and participation of non-governmental organizations.

4. Participation of organizations of the poor themselves

60. A central aspect in a study of this kind will be the participation of organizations of the poor themselves.

B. Seminars

61. In order to ensure the effective participation of the aforementioned groups, a series of seminars has been planned:

(a) General seminar prior to the submission of the progress report;

(b) Regional seminars; the necessary resources will be sought for holding a series of seminars or workshops that ensure the participation of the aforementioned actors. The following have been planned:

(i) Regional seminars in Latin America:

- Workshop in Sao Paulo;
- Workshop in Buenos Aires;

(ii) Regional seminar in Africa (Dakar);

(iii) Seminar in Asia;

(c) Seminar to discuss the draft declaration.

C. Field visits

62. The ad hoc group considers that it would be very important to carry out field visits to countries and situations of poverty, in which it would be possible to talk with people about the work that is being done and gain experience about information that should be included in the documents.

D. Research network

63. The ad hoc group considers it necessary to establish a network of institutions with which it can cooperate and which can help it to obtain data and materials. It has been suggested that the first network should include the United Nations University in Tokyo, the Council for the Development of Social Science Research in Africa in Dakar, the Economic Commission for Latin America and the Caribbean in Santiago, and the Center for the Study of Violence in Sao Paulo, without prejudice to the participation of other institutions.

VI. CONCLUSION

64. The Commission on Human Rights has requested the Sub-Commission to prepare a complex and broad study on poverty and human rights in the world, with the practical objective of working on an international instrument on the subject of poverty and to contribute to its eradication. With this mandate, the ad hoc group is preparing to carry out a complex and in-depth study, for which it requests the support of the various bodies of the human rights system.

Notes

[1] This document was submitted late because various consultations between the four members of the Sub-Commission were required before the finalization of this joint paper.

[2] Participants in the seminar were Dr. Guilherme Assis de Almeida, international assistant to Mr. Paulo Sérgio Pinheiro, Mr. José Bengoa, Mr. El Hadji Guissé, Mr. Yozo Yokota and two assistants, Ms. Nozomi Nakano and Ms. Etsuko Okada. Secretarial services were provided by Ms. Marie Tomita and Ms. Yuka Kubota. We thank the Government of Japan for its invitation and support for this meeting, and the United Nations University for providing facilities and technical and material support for the seminar.

[3] The reports on extreme poverty prepared by Mr. Leandro Despouy, the Special Rapporteur of the Sub-Commission, clearly demonstrated that extreme poverty is the denial of all rights.

[4] The debate on pharmaceutical patents on drugs used in the treatment of HIV/AIDS provides a good example for understanding the inalienability of the right to life and its priority over other rights, such as the right to property, which are no doubt also basic rights. With regard to patents and property rights, see the progress report prepared by Joseph Oloka-Onyango and Deepika Udagama to the Sub-Commission at its fifty-third session (E/CN.4/Sub.2/2001/10).

[5] There is an extensive literature in all countries and historical periods that deals with these social figures who have accompanied "civilizations" and who in general have lived in the physical and social margins of cities. While this is not the subject of our study, the existing literature should be taken into account.

[6] The ad hoc group has considered it necessary to request the Sub-Commission to appoint a member from the European region (Western and Eastern Europe), to serve as an independent expert, responsible for this part of the study; this will help to strengthen the ad hoc group.

[7] This part will be covered by Mr. Paulo Sérgio Pinheiro.